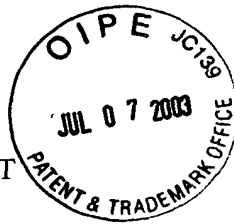


DOCKET NO.: 219501US0CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
Kiyoshi TANIGUCHI et al : EXAMINER: Raymond Covington
SERIAL NO: 10/074,020 : ALLOWED DATE: April 22, 2003
FILED: FEBRUARY 14, 2002 : GROUP ART UNIT: 1625
FOR: PROPANOLAMINE DERIVATIVES :

PETITION UNDER 37 C.F.R 1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to timely direct this case back to the Examiner for (1) acknowledgement of the prior consideration the information disclosure statement filed February 14, 2002, (2) acknowledgement of the foreign priority claims and (3) consideration of the attached amendment under 37 C.F.R. 1.312.

On June 12, 2003 the Applicants contact the Examiner to review these issues. However, according to the Tech Center this application is currently unavailable to the Examiner (in Publications). Accordingly, to timely make this allowed case available to the Examiner to acknowledge the information disclosure statement and foreign priority claims and consider the attached Amendment under 37 C.F.R. 1.312, the Applicants now file this Petition.

For the convenience of the Examiner a copy of the previously-filed Information Disclosure Statement and the date-stamped filing receipt are attached to this Petition. The

COPY

Amendment under 37 C.F.R. 1.312 is also attached to this Petition.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Norman F. Oblon
Attorney of Record
Registration No.: 24,618

Thomas M. Cunningham, Ph.D.
Registration No.: 45,394



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Dept.: CHEMICAL

By: NFO:TMC:mb

OSMM&N File No. 219501US0CONT

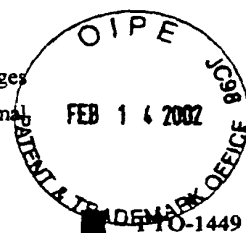
Serial No. New Application

In the matter of the Application of: Kiyoshi TANIGUCHI, et al.

For: PROPANOLAMINE DERIVATIVES

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ 170 pp. Specification 9 Claims/Drawings 0 Sheets (c py)
and 4 Pages Application Data Sheet
- ☒ Combined Declaration, Petition & Power of Attorney (copy, executed, 4 pp.)
- ☐ List of Inventor Names and Addresses
- ☒ Utility Patent Application Transmittal ☐ CPA
- ☒ Request for Priority, PCT/IB/304 ☐ Priority Doc
- ☒ Check for \$740.00 ☒ Dep. Acct. Order Form
- ☒ Fee Transmittal Form
- ☐ Assignment/PTO 1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings sheets ☐ Formal ☐ Informal
- ☐ Letter
- ☐ Amendment
- ☒ Information Disclosure Statement
- ☐ Cited References
- ☒ Copy of International Search Report
- ☐ Statement of Relevancy ☐ Cited Pending Applications
- ☐ IDS/Related/List of Related Cases
- ☐ Restriction Response ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☒ White Advance Serial Number Card
- ☐ Small Entity Status is claimed



Due Date: February 14, 2002

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Docket No. 219501US0CONT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kiyoshi TANIGUCHI, et al.
SERIAL NO: New Application
FILED: Herewith
FOR: PROPANOLAMINE DERIVATIVES

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INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references on the attached form PTO-1449, which are listed on the International Search Report submitted in prior U.S. Application Serial No. 09/646,878, filed November 22, 2000 (pending).
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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SHEET 1 OF 1

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

JUL 07 2003

U.S. PATENT & TRADEMARK OFFICE

ATTY DOCKET NO.

219501US0CONT

SERIAL NO.

New Application

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Kiyoshi TANIGUCHI, et al.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	EP 0 608 568	8/3/94	EUROPE		
	AP	FR 2 746 395	9/26/97	FRANCE		
	AQ	EP 0 714 883	6/5/96	EUROPE		
	AR	EP 0 611 003	8/17/94	EUROPE		
	AS	WO 96 04233	2/15/96	WIPO		
	AT	WO 96 04234	2/15/96	WIPO		
	AU	WO 98 41497	9/24/98	WIPO		
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	Z. Vejdelek, et al.: "Hypotensive derivative of 5-amino-6,7,8,9-tetrahydro-5H-benzocycloheptene", CHEMICAL ABSTRACTS, Vol. 80, No. 7, pg. 279, column 2, 1974.				
	AX					
	AY					
	AZ					<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Docket No. 219501US0CONT
IN RE APPLICATION OF: Kiyoshi TANIGUCHI, et al.
SERIAL NO: 10/074,020
FILED: February 14, 2002
FOR: PROPANOLAMINE DERIVATIVES



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:
Transmitted herewith is an amendment under 37 C.F.R. 1.312 w/attached marked-up copy in the above-identified application.

- ☐ No additional fee is required
☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
☒ Additional documents filed herewith: Petition Under 37 C.F.R. 1.181; Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed 2-14-02

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	39	MINUS	39	0	x \$18 =	\$0.00
INDEPENDENT	6	MINUS	3	3	x \$84 =	\$252.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$252.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$252.00

- ☒ A check in the amount of **\$252.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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Norman F. Oblon
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Thomas M. Cunningham
Registration No. 45,394

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OSMM&N File No. 219501US0CONT

Dept.: Chemical

By: NFO/TMC/krs

Serial No. 10/074,020

In the matter of the Application of: Kiyoshi TANIGUCHI, et al.

For: PROPANOLAMINE DERIVATIVES

Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Check for \$252.00
- Dep. Acct. Order Form
- PTO Cover Letter
- Amendment Under 37 C.F.R. 1.312 w/attached marked-up copy
- Petition Under 37 C.F.R. 1.181
- Copy of Date-stamped Filing Receipt, Information Disclosure Statement and PTO 1449 filed 2-14-02

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JUN 20 2003
OFFICE OF PETITIONS

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